



08/13/02

3762

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JAMES CHEN  
Serial No.: 09/905,501  
Filed: July 13, 2001  
Confirmation No: 3350  
For: *TRANSCUTANEOUS PHOTODYNAMIC  
TREATMENT OF TARGETED CELLS*  
Art Unit: 3762  
Examiner: Unassigned

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EL 870637635 US

Date of Deposit: August 08, 2002

I hereby certify that this paper and the attached  
papers are being deposited with the United States  
Postal Service as first class mail in an envelope  
addressed to:

Commissioner for Patents,  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

08/08/02

Date

Alicia Bradbury

## TRANSMITTAL LETTER

Commissioner for Patents  
Arlington, VA 22202

RECEIVED

AUG 21 2002

Dear Sir:

TECHNOLOGY CENTER R3700

Transmitted herewith are an Information Disclosure Statement and Forms PTO-1449 (2 Pages) for filing in connection with the above-identified application. Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 50-1213, as stated below:

- (X) The Commissioner is hereby authorized to charge the fee for the Information Disclosure Statement and any other fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted  
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:

Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No.: 25886-0055B  
Address all correspondence to:  
Stephanie L. Seidman, Esq.  
HELLER, EHRMAN, WHITE & McAULIFFE  
4350 La Jolla Village Drive, 7th Floor  
San Diego, California 92122-1246  
Telephone: (858) 450-8400  
Facsimile: (858) 587-5360  
EMAIL: sseidman@hewm.com



BET  
8.22.02  
#111 IDS  
(suppl.)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **JAMES CHEN**  
Serial No.: 09/905,501  
Filed: July 13, 2001  
Confirmation No: 3350  
For: **TRANSCUTANEOUS  
PHOTODYNAMIC TREATMENT  
OF TARGETED CELLS**

Art Unit: 3762  
Examiner: Unassigned

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EL 870637635 US

Date of Deposit: August 08, 2002

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents,  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

08/08/02

Date

*Alicia Bradbury*  
Alicia Bradbury

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE  
WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents  
Arlington, VA 22202

Dear Sir:

Since this Supplemental Information Disclosure Statement is filed before the receipt of a first Office Action on the merits for the above-captioned application, no filing fee is due. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. The Forms PTO-1449 (2 pages) and cited references are provided herewith.

The documents listed on the Forms PTO-1449 and supplied herewith are in the English language. Hence, in accordance with the requirements of 37 C.F.R.

RECEIVED  
AUG 21 2002

TECHNOLOGY CENTER H3700

**U.S.S.N. 09/905,501**

**CHEN**

**Supplemental Information Disclosure Statement**

§1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,  
HELLER EHRMAN WHITE & MCAULIFFE LLP

By: \_\_\_\_\_  
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No. 25886-0055B

**Address all correspondence to:**

Stephanie L. Seidman, Esq.  
HELLER EHRMAN WHITE & MCAULIFFE LLP  
4350 La Jolla Village Drive, 7th Floor  
San Diego, CA 92122-1246  
Telephone: (858) 450-8400  
Facsimile: 858/587-5360  
EMAIL sseidman@HEWM.com

FORM PTO-1449 (Modified)

ATTY. DOCKET NO.  
25886-0055BSERIAL NO.  
09/905,501LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENTAPPLICANT  
JAMES CHENFILING DATE  
July 13, 2001GROUP  
3762

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
<i>ROY</i>	A	0	0	4	9	2	4	7	04/25/02	Chen	514	410	01/12/01
<i>2002</i>	B	0	0	8	7	2	0	5	07/04/02	Chen	607	88	07/13/01
	C	4	8	4	9	2	0	7	07/18/89	Sakata <i>et al.</i>	424	11	10/23/86
	D	5	6	4	3	3	3	4	07/01/97	Eckhouse <i>et al.</i>	607	88	02/07/95
	E	5	7	7	5	3	3	9	07/07/98	Woodburn <i>et al.</i>	128	898	08/19/97

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No	
<i>ROY</i>	F	0	1	4	3	8	2	5	06/21/01	PCT				

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

<i>ROY</i>	G	BOOK: Photodynamic Therapy, Basic Principles and Clinical Applications, Henderson, Barbara W. and Dougherty, Thomas J., (Eds.); Marcel Dekker, Inc., New York; Article: Barr <i>et al.</i> , "Normal Tissue Damage Following Photodynamic Therapy: Are There Biological Advantages?", pages 201-216
	H	Gilson <i>et al.</i> , "Therapeutic ratio of photodynamic therapy in the treatment of superficial tumours of skin and subcutaneous tissues in man", <i>J. Cancer</i> , <u>58</u> :665-667 (1988)
	I	Lin <i>et al.</i> , "Skin Necrosis due to Photodynamic Action of Benzoporphyrin Depends on Circulating Rather than Tissue Drug Levels: Implications for Control of Photodynamic Therapy", <i>Photochem. Photobiol.</i> , <u>68</u> (4):575-583 (1998)
	J	Mew <i>et al.</i> , "Ability of Specific Monoclonal Antibodies and Conventional Antisera Conjugated to Hematoporphyrin to Label and Kill Selected Cell Lines Subsequent to Light Activation", <i>Cancer Res.</i> , <u>45</u> :4380-4386 (1985)
	K	Parrish, J.A., "Photobiologic Consideration Photoradiation Therapy", <i>Porphyrin Photosensitization</i> , pp. 91-108 (1983)

EXAMINER

*Roy D. Gilson*

DATE CONSIDERED

*Oct. 23, 2004*

EXAMINER: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Title: **TRANSCUTANEOUS PHOTODYNAMIC TREATMENT OF TARGETED CELLS**

FORM PTO-1449 (Modified)	ATTY. DOCKET NO. 25886-0055B	SERIAL NO. 09/905,501
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	APPLICANT JAMES CHEN	
	FILING DATE July 13, 2001	GROUP 3762



## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

RDy	L	Tomio <i>et al.</i> , "Effect of Hematoporphyrin and Red Light on AH-130 Solid Tumors in Rats", <i>ACTA Radiologica Oncol.</i> , <u>22</u> :49-53 (1983)
Rdy	M	Yumita <i>et al.</i> , "The Combination Treatment of Ultrasound and Antitumor Drugs on Yoshida Sarcoma", <i>Japan J. Hyperthermic Oncol.</i> , <u>3(2)</u> :175-182 (1987)

EXAMINER

Roy D. Gibson

DATE CONSIDERED

Oct. 23, 2003

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Title: **TRANSCUTANEOUS PHOTODYNAMIC TREATMENT OF TARGETED CELLS**